

**HOUSE JOURNAL****FOURTH DAY****\* \* \*****MORNING SESSION**

The House was called to order by Speaker Stephens at 11:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Tom Hatch.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: January 20, 1999  
The Senate passed **S.B. 77**, ELECTRONIC TRANSMISSION OF TAX NOTICE INFORMATION, by Senator D. Steele, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 77**, read the first time by short title and referred to the Rules Committee.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 20, 1999  
The Health and Human Services Committee recommends **H.B. 46**, MINIMUM AGE FOR MARRIAGE, by Representative C. Saunders, be replaced and reports a favorable recommendation on **1st Sub. H.B. 46**, MINIMUM AGE FOR MARRIAGE with the following amendments:

1. Page 2, Line 49-50:  
Delete "advise her of the choice of adoption for the unborn child, and may"
2. Page 2, line 50:  
After "counseling" insert "which must include an explanation of her option of adoption for the unborn child"

Carl R. Saunders, Chair

Reports filed. On motion of Representative Saunders, the reports of the Health and Human Services committee were adopted.

**Sub. H.B. 46**, as amended, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 29, 1999  
The Education Committee reports a favorable recommendation on **H.B. 9**, FUNDING CLASSROOM SUPPLIES, by Representative R. Bigelow; and

The Education Committee reports a favorable recommendation on **H.B. 213**, APPROPRIATION FOR ENGLISH AS SECOND LANGUAGE PROGRAM, by Representative T. Rowan; and

The Education Committee reports a favorable recommendation on **H.B. 183**, EDUCATION CAPITAL OUTLAY FOUNDATION AMENDMENTS, by Representative A. Tyler, with the following amendment:

1. Page 2, Line 30:  
After Line 30 insert:  
“The rules may include hold harmless provisions for up to two years.”

Renumber lines accordingly; and

The Education Committee reports a favorable recommendation on **H.B. 209**, TASK FORCE ON SCHOOL DISTRICT SIZE, by Representative D. Cox, with the following amendments:

1. Page 2, Line 34:  
After “creating” delete “smaller”
2. Page 2, Line 35:  
Delete “larger”
3. Page 2, Line 37:  
After “districts:” delete “and”  
Insert “(c) the benefits of consolidating smaller districts; (d) processes that facilitate community involvement;”  
Renumber lines according.

Ron Bigelow, Chair

Reports filed. On motion of Representative Bigelow, the reports of the Education committee were adopted.

**H.B. 9, H.B. 213, H.B. 183**, as amended, and **H.B. 209**, as amended, read the second time by short title and placed on the calendar for third reading.

**INTRODUCTION OF BILLS****STALKING AMENDMENTS - CIVIL****H.B. 78***LaWanna Shurtliff*

AN ACT RELATING TO THE CODE OF CRIMINAL PROCEDURE; CREATING A PROCEDURE FOR THE ISSUANCE OF A TEMPORARY STALKING INJUNCTION; PROVIDING FOR RENEWAL AND MODIFICATION; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

**STALKING AMENDMENTS - CRIMINAL****H.B. 79***Lawanna Shurtliff*

AN ACT RELATING TO THE CODE OF CRIMINAL PROCEDURE; EXPANDING THE DEFINITION OF THE CRIME OF STALKING; ESTABLISHING PENALTIES; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

**SALES AND USE TAXATION OF  
NEWSPAPER SALES OR SUBSCRIPTIONS****H.B. 80***David L. Zolman*

AN ACT RELATING TO THE SALES AND USE TAX ACT; REPEALING THE SALES AND USE TAX EXEMPTION FOR SALES OF NEWSPAPERS OR NEWSPAPER SUBSCRIPTIONS; CLARIFYING THAT SUBSCRIPTIONS OF TANGIBLE PERSONAL PROPERTY ARE TAXABLE; MODIFYING THE DEFINITION OF A VENDOR TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES AN INDIVIDUAL DELIVERING A NEWSPAPER IS NOT CONSIDERED TO BE A VENDOR AND THE PERSON SUPPLYING THE NEWSPAPER TO THE INDIVIDUAL IS CONSIDERED TO BE A VENDOR; MAKING TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

**EXPLOSIVES LAW AMENDMENTS****H.B. 81***Bryan D. Holladay*

AN ACT RELATING TO THE CRIMINAL CODE; AMENDING PROVISIONS RELATING TO TRANSPORTATION, POSSESSION AND USE

OF EXPLOSIVES; MODIFYING PENALTIES; REPEALING PROVISIONS REGARDING UNLAWFUL HANDLING OF EXPLOSIVES IN CITY OR TOWN; MODIFYING DEFINITIONS RELATING TO EXPLOSIVES; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

### **COUNSELORS IN ELEMENTARY SCHOOLS TASK FORCE**

**H.B. 82**

*Susan J. Koehn*

AN ACT RELATING TO PUBLIC EDUCATION; CREATING THE ELEMENTARY SCHOOL COUNSELORS TASK FORCE; PROVIDING FOR MEMBERSHIP; PROVIDING RESPONSIBILITIES AND PROCEDURES FOR THE TASK FORCE; PROVIDING A REPORTING DATE; APPROPRIATING \$29,500 FROM THE GENERAL FUND; AND PROVIDING A REPEAL DATE, read the first time by short title and referred to the Rules Committee.

### **ACCESSIBLE PARKING SPACES**

**H.B. 83**

*Perry L. Buckner*

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING DEFINITIONS; AMENDING PROVISIONS RELATED TO ACCESSIBLE PARKING SPACES; AND MAKING TECHNICAL CORRECTIONS, read the first time by short title and referred to the Rules Committee.

### **DOMESTIC VIOLENCE AMENDMENTS**

**H.B. 245**

*Gary F. Cox*

AN ACT RELATING TO THE COHABITANT ABUSE PROCEDURES ACT; CLARIFYING THAT THE CHARGE AND PUNISHMENT FOR A SUBSEQUENT DOMESTIC VIOLENCE OFFENSE IS ENHANCED, read the first time by short title and referred to the Rules Committee.

### **NOTARIES PUBLIC REFORM ACT AMENDMENTS**

**H.B. 246**

*Ben C. Ferry*

AN ACT RELATING TO NOTARIZATION AND AUTHENTICATION OF DOCUMENTS AND DIGITAL SIGNATURES; CLARIFYING THE EXAMINATION REQUIREMENTS FOR A NOTORIAL COMMISSION; REVISING THE DEFINITION OF EVIDENCE OF IDENTITY; AND MAKING

TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

### **SPECIAL ORDER OF BUSINESS**

**INITIATIVE PETITION A**, ENGLISH AS THE OFFICIAL LANGUAGE OF UTAH, read the third time by short title and placed on its final passage.

At the direction of Legislative General Counsel the phrase “Be it enacted by the Legislature of the state of Utah” was inserted into Initiative Petition A.

On motion of Representative Curtis, the House voted to limit debate to five minutes per speaker on this issue.

**INITIATIVE PETITION A** then failed to pass on the following roll call:

**Yeas, 31; Nays, 43; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Adair	Alexander	Bigelow	Bowman
Bryson	Bush	Buttars	D. Cox
Dayton	Dillree	Frandsen	Hatch
B. Johnson	Lockhart	Murray	Nelson
Olsen	Rowan	Seitz	M. Snow
N. Stephens	Styler	Swallow	Tanner
Throckmorton	Tyler	Ure	Walsh
Way	Wright	M. Stephens	

**Voting in the negative were:** Representatives

S. Allen	Anderson	Arent	Baca
Beck	Becker	Bennion	Biskupski
Bourdeaux	Bradshaw	Brown	Buckner
Buffmire	Carlson	Chard	G. Cox
Curtis	Duckworth	Ferry	Fife
Garn	Gladwell	Goodfellow	Gowans
Hansen	Harper	Hendrickson	Hickman
Hogue	Holdaway	Holladay	K. Johnson
Jones	King	Koehn	Morgan
Pace	Saunders	Short	Shurtliff
Siddoway	G. Snow	Zolman	

**Absent or not voting was:** Representative

Iverson

**INITIATIVE PETITION A** was filed.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to adjourn until January 22, 1999, at 10:00 a.m.

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Read for the first time and referred to the Rules Committee	33
Assigned to standing committee	49
<b>H.B. 179</b> -- POLITICAL PARTY AMENDMENTS ( <i>L. Nelson</i> )	
Read for the first time and referred to the Rules Committee	34
Assigned to standing committee	49
<b>H.B. 180</b> -- CHILD CARE TASK FORCE REAUTHORIZATION ( <i>S. Allen</i> )	
Read for the first time and referred to the Rules Committee	34
Assigned to standing committee	51
Read the second time	84
<b>H.B. 181</b> -- CERTIFIED TAX RATE NOTICE AMENDMENT ( <i>A. Tyler</i> )	
Read for the first time and referred to the Rules Committee	34
Assigned to standing committee	51
<b>H.B. 182</b> -- WILDLIFE LICENSE FEE ( <i>B. Johnson</i> )	
Read for the first time and referred to the Rules Committee	34
Read the second time	52
Amendments	96
Read the third time	94
Circled	94, 96
Uncircled	96
<b>H.B. 183</b> -- EDUCATION CAPITAL OUTLAY FOUNDATION AMENDMENTS ( <i>A. Tyler</i> )	
Read for the first time and referred to the Rules Committee	34
Assigned to standing committee	48
Read the second time	106
Amendments	106
<b>H.B. 184</b> -- COUNTY OFFICERS AMENDMENTS ( <i>C. Butters</i> )	
Read for the first time and referred to the Rules Committee	35
Read the second time	52
Read the third time	94
Circled	94
<b>H.B. 185</b> -- DUTIES OF COUNTY ASSESSOR AND TREASURER ( <i>B. Chard</i> )	
Read for the first time and referred to the Rules Committee	35
Assigned to standing committee	92
<b>H.B. 186</b> -- PRIVATE PROPERTY OMBUDSMAN AMENDMENT ( <i>E. Olsen</i> )	
Read for the first time and referred to the Rules Committee	35
Read the second time	52
Read the third time	94
Circled	94

<b>H.B. 187</b> -- IDENTIFICATION NUMBER FRAUD ( <i>C. Bennion</i> )	
Read for the first time and referred to the Rules Committee	35
Read the second time	52
Read the third time	94
Circled	95
<b>H.B. 188</b> -- REAUTHORIZATION OF STATE WATER DEVELOPMENT COMMISSION ( <i>E. Olsen</i> )	
Read for the first time and referred to the Rules Committee	36
Read the second time	52
Read the third time	95
Transmitted to the Senate	95
<b>H.B. 189</b> -- YEAR 2000 GOVERNMENT IMMUNITY ( <i>B. Chard</i> )	
Read for the first time and referred to the Rules Committee	36
Assigned to standing committee	50
<b>H.B. 190</b> -- MEDICAID CHOICE CERTIFICATE ( <i>R. Short</i> )	
Read for the first time and referred to the Rules Committee	36
Assigned to standing committee	49
Read the second time	81
Amendments	79
<b>H.B. 191</b> -- UTAH DIVISION OF INDIAN AFFAIRS AMENDMENTS ( <i>K. Johnson</i> )	
Read for the first time and referred to the Rules Committee	36
Assigned to standing committee	49
<b>H.B. 192</b> -- NATIVE AMERICAN REMAINS AND HISTORIC ARTIFACTS ( <i>E. Anderson</i> )	
Read for the first time and referred to the Rules Committee	37
Assigned to standing committee	49
Read the second time	85
Amendments	84
<b>H.B. 193</b> -- REAUTHORIZATION OF ADMINISTRATIVE RULES ( <i>M. Stephens</i> )	
Read for the first time and referred to the Rules Committee	37
Read the second time	52
Read the third time	95
Circled	95
<b>H.B. 194</b> -- CONSUMER CREDIT ISSUES ( <i>W. Harper</i> )	
Read for the first time and referred to the Rules Committee	37
Assigned to standing committee	48
Read the second time	78
<b>H.B. 195</b> -- DRIVER TRAINING PERMITS ( <i>M. Dillree</i> )	
Read for the first time and referred to the Rules Committee	37
Assigned to standing committee	51
<b>H.B. 196</b> -- REGULATION ON HUNTING COUGAR OR BEAR ( <i>M. Styler</i> )	
Read for the first time and referred to the Rules Committee	38
Assigned to standing committee	50
<b>H.B. 197</b> -- CEDAR MOUNTAIN INITIATIVE APPROPRIATION ( <i>T. Hatch</i> )	
Read for the first time and referred to the Rules Committee	38
Assigned to standing committee	50
Read the second time	83
<b>H.B. 198</b> -- APPROPRIATION FOR CENTENNIAL TRAILS PROGRAM ( <i>A. Tyler</i> )	
Read for the first time and referred to the Rules Committee	38
Assigned to standing committee	50
<b>H.B. 199</b> -- ENFORCEMENT AUTHORITY FOR DRUG LAB AND PRECURSOR ACTS ( <i>A. Tyler</i> )	
Read for the first time and referred to the Rules Committee	38
Assigned to standing committee	50
<b>H.B. 200</b> -- WATER COMMISSIONER AMENDMENTS ( <i>M. Styler</i> )	
Read for the first time and referred to the Rules Committee	39
Assigned to standing committee	50
Read the second time	83
<b>H.B. 201</b> -- MOTOR VEHICLE DEALER FILINGS ( <i>W. Harper</i> )	
Read for the first time and referred to the Rules Committee	39
Assigned to standing committee	51
<b>H.B. 202</b> -- USE OF OLYMPIC LICENSE PLATES ( <i>J. Tanner</i> )	
Read for the first time and referred to the Rules Committee	39
Assigned to standing committee	51
<b>H.B. 203</b> -- OPERATION AND MAINTENANCE COSTS SET ASIDE FOR STATE BUILDINGS ( <i>G. Adair</i> )	
Read for the first time and referred to the Rules Committee	39
Assigned to standing committee	49
<b>H.B. 204</b> -- SMOKE FREE AIRPORTS ( <i>J. Tanner</i> )	
Read for the first time and referred to the Rules Committee	39
<b>H.B. 205</b> -- SCHOOL BUS TRAFFIC SAFETY REQUIREMENTS ( <i>D. Ure</i> )	
Read for the first time and referred to the Rules Committee	40
Assigned to standing committee	48
Read the second time	79

<b>H.B. 206</b> -- CREATING OR CONSOLIDATING COUNTIES ( <i>L. Frandsen</i> )	
Read for the first time and referred to the Rules Committee	40
Assigned to standing committee	50
Read the second time	82
<b>H.B. 207</b> -- RIVERWAY ENHANCEMENT ADVISORY COUNCIL APPOINTMENTS ( <i>J. Tanner</i> )	
Read for the first time and referred to the Rules Committee	40
Assigned to standing committee	50
<b>H.B. 208</b> -- LICENSE PLATE RENEWAL FOR PERSONS WITH DISABILITIES ( <i>M. Dillree</i> )	
Read for the first time and referred to the Rules Committee	40
Assigned to standing committee	51
<b>H.B. 209</b> -- TASK FORCE ON SCHOOL DISTRICT SIZE ( <i>D. Cox</i> )	
Read for the first time and referred to the Rules Committee	40
Assigned to standing committee	48
Read the second time	106
Amendments	106
<b>H.B. 210</b> -- FALSE STATEMENTS AT PRELIMINARY EXAMINATIONS ( <i>A. Tyler</i> )	
Read for the first time and referred to the Rules Committee	41
Assigned to standing committee	49
<b>H.B. 211</b> -- DRIVER LICENSE DIVISION AMENDMENTS ( <i>P. Arent</i> )	
Read for the first time and referred to the Rules Committee	41
Assigned to standing committee	51
<b>H.B. 212</b> -- FUNDING DEPARTMENT OF NATURAL RESOURCES PRIVATE PROPERTY OMBUDSMAN ( <i>E. Olsen</i> )	
Read for the first time and referred to the Rules Committee	41
Assigned to standing committee	50
<b>H.B. 213</b> -- APPROPRIATION FOR ENGLISH AS SECOND LANGUAGE PROGRAM ( <i>T. Rowan</i> )	
Read for the first time and referred to the Rules Committee	41
Assigned to standing committee	48
Read the second time	106
<b>H.B. 214</b> -- WAGE CLAIM AMENDMENTS ( <i>G. Adair</i> )	
Read for the first time and referred to the Rules Committee	42
Assigned to standing committee	48
<b>H.B. 215</b> -- VEHICLE REGISTRATION AMENDMENTS ( <i>G. Adair</i> )	
Read for the first time and referred to the Rules Committee	42
Assigned to standing committee	51
<b>H.B. 216</b> -- APPOINTING SCHOOL SUPERINTENDENTS AND BUSINESS ADMINISTRATORS ( <i>J. Buffmire</i> )	
Read for the first time and referred to the Rules Committee	42
Assigned to standing committee	48
<b>H.B. 217</b> -- DISORDERLY CONDUCT AMENDMENTS ( <i>A. Bradshaw</i> )	
Read for the first time and referred to the Rules Committee	42
Assigned to standing committee	50
Read the second time	82
<b>H.B. 218</b> -- REAUTHORIZATION OF ENVIRONMENTAL QUALITY CODE PROVISIONS ( <i>B. Wright</i> )	
Read for the first time and referred to the Rules Committee	43
Assigned to standing committee	50
Read the second time	83
<b>H.B. 219</b> -- LABOR COMMISSION SAFETY AMENDMENTS ( <i>G. Adair</i> )	
Read for the first time and referred to the Rules Committee	43
Assigned to standing committee	51
Read the second time	84
<b>H.B. 220</b> -- DISSOLUTION OF UTAH TECHNOLOGY FINANCE CORPORATION ( <i>J. Hickman</i> )	
Read for the first time and referred to the Rules Committee	43
<b>H.B. 221</b> -- RETIREMENT OFFICE AMENDMENTS ( <i>R. Short</i> )	
Read for the first time and referred to the Rules Committee	43
Assigned to standing committee	50
<b>H.B. 222</b> -- REVISED CORPORATION ACT AMENDMENTS ( <i>A. Bradshaw</i> )	
Read for the first time and referred to the Rules Committee	44
Assigned to standing committee	48
Read the second time	78
<b>H.B. 223</b> -- SPECIAL SERVICE DISTRICT BOND SECURITY ( <i>J. Seitz</i> )	
Read for the first time and referred to the Rules Committee	44
Assigned to standing committee	50
Read the second time	82
<b>H.B. 224</b> -- FIREFIGHTER RETIREMENT SYSTEMS ( <i>J. Murray</i> )	
Read for the first time and referred to the Rules Committee	44
<b>H.B. 225</b> -- SCHOOL BUS RAILROAD CROSSING REQUIREMENTS ( <i>N. Hendrickson</i> )	
Read for the first time and referred to the Rules Committee	44
Assigned to standing committee	91
<b>H.B. 226</b> -- COUNTY ANNEXATION AMENDMENTS ( <i>B. Johnson</i> )	
Read for the first time and referred to the Rules Committee	45

<b>H.B. 227</b> -- DOMESTIC VIOLENCE DISMISSAL AMENDMENT ( <i>A. Bradshaw</i> )	
Read for the first time and referred to the Rules Committee	45
<b>H.B. 228</b> -- MOTOR VEHICLE INSURANCE ON CERTAIN VEHICLES ( <i>G. Way</i> )	
Read for the first time and referred to the Rules Committee	45
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Read for the first time and referred to the Rules Committee	45
Assigned to standing committee	91
<b>H.B. 230</b> -- LIEN AMENDMENTS ( <i>J. Swallow</i> )	
Read for the first time and referred to the Rules Committee	45
Assigned to standing committee	91
<b>H.B. 231</b> -- ACCESS TO ADOPTION RECORDS ( <i>D. Zolman</i> )	
Read for the first time and referred to the Rules Committee	46
<b>H.B. 232</b> -- PUBLIC EDUCATION FOUNDATION AMENDMENTS ( <i>S. Allen</i> )	
Read for the first time and referred to the Rules Committee	46
<b>H.B. 233</b> -- REVISOR'S STATUTE ( <i>S. Koehn</i> )	
Read for the first time and referred to the Rules Committee	46
Read the second time	51
Read the third time	61
Transmitted to the Senate	62
<b>H.B. 234</b> -- COMMUNITY COOPERATION REQUIREMENTS OF UTAH DEPARTMENT OF TRANSPORTATION ( <i>R. Becker</i> )	
Read for the first time and referred to the Rules Committee	46
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Read for the first time and referred to the Rules Committee	46
<b>H.B. 236</b> -- DRIVER LICENSE HEARING PROCESS ( <i>N. Stephens</i> )	
Read for the first time and referred to the Rules Committee	57
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Read for the first time and referred to the Rules Committee	66
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Read for the first time and referred to the Rules Committee	66
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Read for the first time and referred to the Rules Committee	66
Assigned to standing committee	92
<b>H.B. 240</b> -- DOMESTIC VIOLENCE DEFINITION AMENDMENT ( <i>B. Goodfellow</i> )	
Read for the first time and referred to the Rules Committee	67
Assigned to standing committee	92
<b>H.B. 241</b> -- ENGLISH AS THE OFFICIAL LANGUAGE OF THE STATE ( <i>T. Rowan</i> )	
Read for the first time and referred to the Rules Committee	67
<b>H.B. 242</b> -- EDUCATOR DISMISSAL PROCEDURES AMENDMENTS ( <i>T. Rowan</i> )	
Read for the first time and referred to the Rules Committee	86
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Read for the first time and referred to the Rules Committee	87
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Read for the first time and referred to the Rules Committee	87
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Read for the first time and referred to the Rules Committee	108
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Read for the first time and referred to the Rules Committee	108
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Read for the first time and referred to the Rules Committee	87
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Read for the first time and referred to the Rules Committee	47
Read the second time	51
Amendments	59
Read the third time	59
Transmitted to the Senate	61
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Read for the first time and referred to the Rules Committee	47
Assigned to standing committee	49
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Read for the first time and referred to the Rules Committee	47
Assigned to standing committee	49
<b>H.J.R. 6</b> -- JOINT RESOLUTION - COMPENSATION OF IN-SESSION EMPLOYEES ( <i>M. Dillree</i> )	
Read for the first time and referred to the Rules Committee	67
Read the second time	92

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Read for the first time and referred to the Rules Committee	47
Read the second time	51
Amendments	58
Read the third time	57
Signed by the Speaker and transmitted to the Governor	59
<b>H.R. 2</b> -- READ ACROSS AMERICA RESOLUTION ( <i>D. Cox</i> )	
Read for the first time and referred to the Rules Committee	67
Assigned to standing committee	91
<b>S.B. 77</b> -- ELECTRONIC TRANSMISSION OF TAX NOTICE INFORMATION ( <i>D. Steele</i> )	
Read the first time by short title and referred to Rules Committee	105
<b>S.J.R. 2</b> -- RESOLUTION APPROVING THE APPOINTMENT OF LEGISLATIVE FISCAL ANALYST ( <i>L. Beattie</i> )	
Read the first time by short title and referred to Rules Committee	77
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Read for the first time and referred to the Rules Committee	87
Read the second time	87
Set for Time Certain	88
Read the third time	109
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